

REQUEST FOR COUNCIL ACTION

Date: 12/13/10

Item No.: 9.a

Department Approval

City Manager Approval



Item Description: Consider an Ordinance Amending Title One,
Chapter 104, Personnel Policy of the Roseville City Code

BACKGROUND:

The last update to the Employee Handbook was done in 1999. As you know various levels of staff including union and non-union employees have been working on a total rewrite to the handbook for quite some time. Since 1999 there have been changes to law, best practices, and administration styles. This rewrite incorporates updates both legally required and expectations provided from leadership. The City Attorney has reviewed and approved the employee handbook with regard to legal form.

The goal is to lay out policies in a uniform location and format to equip staff with guidelines for their employment with the City of Roseville. It is important to point out that the handbook is not an employment contract.

The attachment is the personnel policy (chapter 104) under city ordinance with the recommended changes due to the employee handbook rewrite shown in red.

POLICY OBJECTIVE

To provide staff with a guide that provides information about working conditions and expectations, employee pay and benefits as well as general guidelines and policy affecting employment at the City of Roseville.

BUDGET IMPLICATIONS

There are no budgetary implications.

STAFF RECOMMENDATION:

Adopt an ordinance amending Title One, Chapter 104, Personnel Policy.

REQUESTED COUNCIL ACTION

Adopt an ordinance amending Title One, Chapter 104, Personnel Policy.

Approve the ordinance summary.

Prepared by: Eldona Bacon, Human Resources Manager

Attachments: A. Chapter 104, Personnel Policy

B. Ordinance

C. Ordinance Summary

CHAPTER 104

PERSONNEL POLICY

SECTION:

- 104.01: Purpose and Scope; Personnel Appointments
- 104.02: Promotions and Separations (Rep. by Ord. 1230, 8-23-1999)
- 104.03: Benefits
- 104.04: Compensation
- 104.05: Miscellaneous Regulations

104.01: PURPOSE AND SCOPE; PERSONNEL APPOINTMENTS:

- A. Purpose: It shall be the purpose of this chapter to establish a uniform and equitable system of personnel administration for employees of the city. This chapter may be referred to as the *PERSONNEL ORDINANCE*. The City Council has the sole authority to change any of the provisions of this chapter. The city manager has the sole authority to interpret and implement the provisions of this chapter. The city reserves the right to amend, modify or repeal any provision of this chapter without prior notice to any employee who might be covered by it. (Ord. 1135, 2-14-1994)
- B. Employees Covered: This chapter shall establish the employment relationship of all city employees except the following:
 - 1. All elected officials and members of boards and commissions;
 - 2. City manager and city attorney; and
 - 3. Persons hired to provide services for the city on a contractual basis. (Ord. 1231, 11-8-1999)
- C. Provisions Superseded in Certain Cases: The provisions of this chapter shall be superseded in the following cases:
 - 1. Any employee included in a collective bargaining agreement, entered into in accordance with the Public Employment Labor Relations Act (MSA sections 1798.01 to 1798.25), shall be exempt from any sections of this chapter which are governed by a collective bargaining agreement.
 - 2. Nothing in this chapter shall be effective to the extent that it is inconsistent with the "Veterans Preference Law", chapter 197, Minnesota Statutes.
 - 3. Nothing in this chapter shall be effective to the extent that it is inconsistent with the rules of the Roseville police civil service commission or with chapter 419, Minnesota Statutes, "Police Civil Service Commissions". (Ord. 1135, 2-14-1994)
- D. Definitions: As used in this chapter, the following words and terms shall have the meanings ascribed to them in this subsection:
 - CITY MANAGER: The city manager appointed by the City Council or the person designated by the manager to act in that capacity in a given situation.
 - PAID TIME OFF: Compensated leave which combines traditional vacation and sick leave into one bank of available time off. (Ord. 1339, 6-20-2006)

~~PART-TIME FIREFIGHTERS: Positions in this category typically work less than twenty (20) hours per week for the Roseville fire department. Part-time firefighters are not eligible for benefits except where specifically noted.~~

~~PAID-ON-CALL FIREFIGHTERS - Employees whose schedules are flexible and vary based on the employee's availability and management's need. Employees who respond to calls for work on an on-call basis and are paid by the call. Paid-on-call fire staff members are not eligible for benefits except where specified.~~

REGULAR FULL-TIME: A position that is regularly scheduled for a forty (40) hour week. Regular full-time positions are approved by the City Council and generally are expected to continue for more than one year. Employees that hold regular full-time positions are eligible for benefits and paid leave.

~~REGULAR PART-TIME: A position that is regularly scheduled twenty (20) or more hours per week but is not normally scheduled forty (40) hours per week. Regular part-time positions are approved by the City Council and generally continue for more than one year. Regular part-time staff is eligible for partial benefits.~~

~~REGULAR PART-TIME: A position that is regularly scheduled for less than forty (40) hours per week. Regular part-time positions are approved by the City Council and generally continue for more than one year. Regular part-time staff regularly schedule for twenty (20) or more hours per week but less than forty (40) are eligible for partial benefits and paid leave where specified.~~

SERVICE CREDIT: The unit used to measure the period of time required for an employee to be eligible for benefits.

SICK BANK: An employee's accrued and unused sick leave, in excess of 96 hours, as of June 30, 2006, to a maximum of 640 hours. (Ord. 1339, 6-20-2006)

TEMPORARY/~~INTERMITTENT~~ SEASONAL: Positions in this category meet one of the following definitions:

~~1. A full-time or part-time position that is anticipated to last less than one year or that has a definite termination date.~~

~~2. A part-time position that is scheduled, on average, less than twenty (20) hours per week. Employees hired in a position limited by duration of a specific project or task. Temporary employees normally do not exceed six months with a period of at least a month off between seasonal or temporary projects with the City. Temporary employees are not eligible for benefits. Temporary positions include positions created to handle periodic increases in work load, seasonal work and special projects. Temporary and seasonal employees may work full or part-time and are not subject to all City policies, only those provided to them in their new employee orientation or during ongoing training.~~

~~3. A position that has been established as an internship, or as part of another specialized program is also included in this category.~~ (Ord. 1230, 8-23-1999; amd. Ord. 1231, 11-8-1999)

- E. City Manager Authority: The city manager makes all employment-related decisions within the city, including personnel appointments. The city manager is also responsible for providing work direction to staff. The city manager may dismiss, demote, or suspend any employee. (Ord. 1230, 8-23-1999)
- F. Physical Examination: All candidates for municipal service may be required to undergo a physical examination as a condition of employment in conjunction with an offer of employment. The examination shall be conducted by a physician selected by the city

manager. All costs of the examination shall be paid by the city.

G. Background Investigations: The city will conduct a background investigation of an applicant for a position where justified by the job requirements or where allowed or required by state or federal law. This may include investigation of past criminal convictions by the police department or by the bureau of criminal apprehension. (Ord. 1135, 2-14-1994)

H. Probationary Period: (Rep. by Ord. 1230, 8-23-1999)

I. Completion of Probationary Period: (Rep. by Ord. 1230, 8-23-1999)

J. Employment of Relatives: ~~Job applicants who are relatives to current city employees or officials will be considered for employment unless the applicant is related to an elected official or department head.~~ For purposes of this policy, a "relative" is defined as mother, father, son, daughter, brother, sister, grandchild, grandparent, stepchild, stepparent, or legal guardian.

However, relatives of employees will not be employed when a conflict of interest exists. In order to ensure the lack of bias, prejudice and/or favoritism, or its appearance, relatives or those living in the same household as current employees and City Council members are not eligible for employment in a job classification in which a conflict of interest may occur or is not in the best interest of the City as determined by the City Manager. City Manager approval is required for all fulltime and part-time regular positions. Spouses of employees or elected officials are also excluded from employment, as a bona fide occupational requirement, when a conflict of interest exists. The following list highlights situations that would constitute a conflict of interest:

- o Where one employee would supervise or have authority to appoint, remove, or discipline a spouse or a relative.
- o Where one spouse or relative would be responsible for auditing the work of another.
- o Where a policy level employee of an organization or company is related to a policy level employee or official of the city and there is a contract or agreement between the entities, such that there is a potential appearance of inappropriate influence.
- o Where confidentiality of the city would be jeopardized.

Promotions or transfers of a spouse or relative, which would result in a conflict of interest, will not be acted upon until the conflict is satisfactorily resolved.

K. Equal Employment Opportunity:

1. State and Federal Regulations: The city provides equal opportunity to all employees and applicants for employment in accordance with all applicable state and federal laws, directives and regulations.

2. Discrimination: Discrimination based on race, creed, color, national origin, place of residence, disability, marital status, status with regard to public assistance, sex, sexual orientation, veteran status, pregnancy, age or any other class protected by state or federal law is prohibited in all personnel policies, programs and practices.

3. Responsibility of City Manager: The city manager is responsible for implementing this policy. Failure of any city employee to act in a manner consistent with this policy may result in disciplinary action against that employee. (Ord. 1230, 8-23-1999)

104.02: PROMOTIONS AND SEPARATIONS: (Rep. by Ord. 1230, 8-23-1999)

104.03: BENEFITS:

A. Employee Benefits: Employees hired in regular full-time positions are eligible to receive

Paid Time Off, paid holidays and any other benefits which are approved by council resolution. Regular part-time employees who work at least 20 hours per week are eligible for paid holidays on a pro rata basis and any other benefits which are approved by council resolution.

- B. Service Credit: Service credit for a regular or probationary full-time employee begins on the date of employment and is calculated as follows:
 - 1. Full-Time Employee, Twelve or More Days: A regular or probationary full-time employee who works 12 or more days in a calendar month will receive full service credit for that month.
 - 2. Full-Time Employee, Twelve Or Less Days: A regular or probationary full-time employee who works less than 12 days in any calendar months will not receive service credit for that month unless the time off is covered by approved sick leave, vacation, military leave or family/medical leave.
 - 3. Temporary Employee Transferred to Full-Time: A temporary employee transferred to a regular position will not receive any service credit for service prior to such transfer.
 - 4. Regular Part-Time Employee Transferred to Full-Time: A regular, part-time employee who transfers to a regular full-time position will receive credit for prior service. The prior service will be calculated by multiplying the number of months of prior service by the budgeted full-time equivalent status of the part-time position.
- C. Paid Time Off: Paid Time Off is provided to allow employees equitable leave time for both illness and rest and relaxation. Paid Time Off will be granted to eligible employees according to earned service credit.
- D. Legal Holidays Occurring during Paid Leave Period: When a recognized holiday falls on a working day during an employee's Paid Time Off, the day of the holiday will not be counted as a day of Paid Time Off.
- E. Rate of Accumulation of Paid Time Off: Regular full-time employees shall earn Paid Time Off at the following rates:
 - 1. First through Fourth Year: Beginning with the initial date of employment through the end of the fourth year of service credit, the employee shall earn 5.538 hours bi-weekly.
 - 2. Fifth through Fourteenth Year: Beginning with the fifth year of service credit through the end of the fourteenth year of service credit, the employee shall earn 7.077 hours bi-weekly.
 - 3. Fifteenth Year On: Beginning with the fifteenth year of service credit, the employee shall earn 8.615 hours bi-weekly.
- F. Paid Time Off on Termination of Employment: An employee who terminates his/her employment shall receive, upon termination, unused Paid Time Off.
- G. Carryover and Disposition of Paid Time Off: Each employee shall be permitted to carry over up to a maximum of 500 hours from one year to the next. Allowable disposition of hours in excess of the maximum may be contributed to deferred compensation accounts or pre-dedicated for use within the first quarter of the following year.
- H. Sick Bank: Eligible employees may utilize the sick leave bank, until the bank is used up or the bank sunsets in 2025, for the following:
 - 1. Personal illness or injury.
 - 2. Personal medical or dental appointments.
 - 3. Illness or injury of a spouse, child, parent or other member of an employee's household which requires the employee's care and attention.
 - 4. Medical or dental appointments of a spouse, child, parent or any other member of an

employee's immediate household which require the employee's care and attention.

- I. Application of Workers' Compensation Benefits to Paid Time Off or Sick Bank Program: In cases of absence where an employee receives compensation benefits under workers' compensation, the total compensation received from both workers' compensation and Sick Bank, and Paid Time Off shall not exceed the amount of pay normally received. Paid Time Off and/or Sick Bank benefits may be paid in an amount such that the benefits plus the workers' compensation benefits equal the normal pay received.

- J. ~~Funeral Leave~~ Bereavement Leave: In cases of a death in an employee's immediate family, a regular employee's department head may authorize leave benefits for such absences up to a maximum of three days for each occasion. For purposes of this section, "immediate family" includes ~~wife, husband~~ spouse, child, ~~brother, sister~~ siblings, parents, parents-in-law, grandchildren and grandchildren of the employee's spouse, grandparents, grandparents-in-law, brothers-in-law, sisters-in-law and any other member of an employee's immediate household. (Ord. 1135, 2-14-1994)

- K. Mandated Leaves: The city will comply with the provisions of any federal or state laws that grant employees leave time, such as the Family and Medical Leave Act. (Ord. 1230, 8-23-1999)

- L. Special Leave: The manager may allow an employee special leave at full pay for attendance at conferences benefiting the municipality. (Ord. 1135, 2-14-1994)

- M. Military Leave of Absence: (Rep. by Ord. 1230, 8-23-1999)

- N. Leave of Absence Without Pay: Upon request of an employee, leave of absence without pay may be granted by the city manager. Such leave of absence shall not exceed a period of 12 weeks and, if applicable, shall be taken simultaneously with any leaves mandated by law, such as the Family and Medical Leave Act. Prior to requesting leave under this section, an employee must first exhaust all accrued Paid Time Off and Sick Bank if leave is due to injury or illness. The leave may be extended beyond 12 weeks to a maximum of one year by the city manager. No Paid Time Off benefits shall accrue during a period of leave of absence without pay. A leave of absence without pay will be considered a break in service for purposes of computing service credit if it exceeds 12 weeks. (Ord. 1230, 8-23-1999)

- O. Official Holiday: The following shall be the official holidays for all employees subject to this chapter:

New Year's Day, January 1.

Martin Luther King, Jr., Birthday, the third Monday in January.

Presidents' Day, the third Monday in February.

Memorial Day, the last Monday in May.

Independence Day, July 4.

Labor Day, the first Monday in September.

Veterans' Day, November 11.

Thanksgiving Day, the fourth Thursday in November.

Post-Thanksgiving Day, the day following Thanksgiving Day.

One-half day (afternoon) Christmas Eve Day, December 24.

Christmas Day, December 25.

One floating holiday annually, to be designated by the City Manager.

When New Year's Day, Independence Day, Veterans' Day or Christmas Day fall on a Sunday, the following day shall be a holiday.

When New Year's Day, Independence Day, Veterans' Day, or Christmas Day fall on a

224 Saturday, the preceding day shall be a holiday.

225 When Christmas Eve Day falls on a Saturday or a Sunday, the 1/2 day will be taken on the
226 preceding Friday afternoon. (Ord. 1135, 2-14-1994)

227 P. Severance Pay: Severance pay shall be paid to the following city employees who terminate
228 their employment:

229 1. Retirement: Regular, full-time employees who meet the eligibility requirements for
230 receipt of a pension pursuant to the Public Employees Retirement Association Statute,
231 Minnesota Statutes Chapter 353, with ten or more years of service with the city who
232 terminate their employment because of retirement.

233 2. Reduction of City Employment or Change in Municipal Operations: Regular, full-time
234 employees with ten or more years of service with the city who terminate their employment
235 because of reduction of city employment or changes in city operations.

236 3. Death of Employee: Regular, full-time employees, with ten or more years of service with
237 the city, who die before they terminate their employment shall have severance pay as
238 calculated in this section paid to their named beneficiary or their estate if they fail to name a
239 living beneficiary.

240 The severance pay shall be in an amount Paid Time Off plus 50% of accumulated Sick Bank
241 hours, but in no event shall such payment of Sick Bank hours exceed the equivalent of 320
242 hours at the employee's wage rate at the time of such separation. (Ord. 1230, 8-23-1999)

243 Q. Part-Time Firefighters: The members of the fire department shall organize themselves into a
244 firefighter's relief association. The City Council shall establish by resolution pension and
245 funeral benefits for part-time firefighters. (Ord. 1231, 11-8-1999)

246 (Ord. 1339, 6-20-2006)

247 **104.04: COMPENSATION:**

248 A. Rates of Pay: The City Council shall, by resolution, establish and, from time to time, revise
249 a position classification and pay plan.

250 B. Payday: All regular employees shall be paid on the day set by resolution of the council.

251 C. Payroll Deductions: Automatic payroll deductions shall be made as required for federal and
252 state government taxes and the various pension plans. Employees may elect to have payroll
253 deductions made for a city employee group insurance or flexible benefit plan, a deferred
254 compensation account, United States savings bonds, charity drive contributions, bank and
255 credit union accounts and union dues. (Ord. 1135, 2-14-1994)

256 D. Overtime Pay: Employees who are eligible for overtime under the guidelines of the Fair
257 Labor Standards Act (FLSA) will be compensated at the rate of time and one-half for all
258 hours worked in excess of 40 hours per week. This compensation will take the form of either
259 time and one-half pay or, where permitted by the Fair Labor Standards Act, compensatory
260 time. Compensatory time is paid time off at the rate of 1 and one-half hours off for each
261 hour of overtime worked. (Ord. 1230, 8-23-1999)

262 E. Resignation: When an employee resigns, he/she shall receive pay for any accrued unused
263 Paid Time Off. No payment shall be made for unused sick bank leave benefits. (Ord. 1339,
264 6-20-2006)

265 F. Indebtedness to the City: If any employee owes any money or leave time to the city at the
266 time of his/her termination, his/her final pay will be applied against this amount in whatever
267 amount necessary to pay it off. A receipt shall be given to the employee for the amount
268 applied against the debt. (Ord. 1135, 2-14-1994)

269 **104.05: MISCELLANEOUS REGULATIONS:**

- 270 A. Travel Expenses: When traveling on city business, an employee will be reimbursed for
271 his/her travel expenses. In order to receive such reimbursement, the employee shall,
272 immediately upon return to work, fill out and submit the appropriate claims form.
- 273 B. Car Expenses: An employee required to use his/her personal automobile on city business
274 shall be reimbursed at the rate currently permitted by the Internal Revenue Service for
275 allowable travel expense purposes.
276 Claims for mileage shall designate date of travel, purpose of travel and miles traveled.
277 Certain employees designated by the city manager may receive a vehicle allowance in lieu
278 of reimbursement for expenses.
- 279 C. City Tools and Equipment: City tools and equipment shall not be used for anything other
280 than city purposes unless approved by the council.
- 281 D. Outside Employment: An employee's activities outside working hours must not interfere
282 with the performance of the employee's job with the city. An employee must have the
283 approval of his/her department head before obtaining outside employment. An employee
284 must notify his/her department head of the outside employer's name and address, the hours
285 of his/her work and a description of duties.
- 286 E. Political Activity: No city employee shall directly or indirectly:
287 1. During his/her hours of employment, solicit or receive political funds.
288 2. At any time use his/her authority or official influence to compel any employee:
289 a. to apply for membership in or to become a member of a political organization.
290 b. to pay or promise to pay any assessment, subscription or political contribution.
291 c. to take part in any political activity. (Ord. 1153, 9-26-1994)
- 292 F. Layoffs: When necessary due to reorganization or budgetary constraints, layoffs of regular
293 full-time and part-time employees may occur. The City Manager will decide which job
294 classes within a department are subject to layoff. Within a department and job class, the City
295 Manager will consider job performance, qualifications and length of service to determine
296 which employee(s) will be affected by the layoff. (Ord. 1230, 8-23-1999)
- 297 G. Conflict of Interest: It is expected that every employee shall exercise good judgment in
298 avoiding becoming involved with conflicting outside business interests. These include, but
299 are not limited to, the following:
300 1. Those in which an employee has financial interest in, or receives benefits from, a business
301 in which he/she occupies a position which may enable him/her to influence the placing of
302 city business either inside or outside the city government.
303 2. Those in which an employee accepts full-time or part-time work elsewhere, where such
304 activity interferes with their duties and job performance at the city.
305 3. Those in which an employee may gain access to information not generally available to the
306 public which may allow him/her to directly or indirectly gain anything of value.
- 307 H. Endorsement of Products or Services: No employees of the City will endorse any product or
308 service offered by a private business, which will ultimately be used in sale or advertising
309 promotions. This includes statements of interpretation about the product or service or the
310 providing of information in such a manner which implies endorsement.
- 311 I. Acceptance of Gratuities: Minnesota Statutes section 471.895, prohibiting the giving of gifts
312 by interested persons and the receipt of such gifts by public officials is hereby adopted by
313 reference. (Ord. 1153, 9-26-1994)
- 314 J. Smoking Policy: Smoking is not permitted in any city building or city vehicle. Smoking

includes carrying a lighted cigarette, cigar or pipe. This policy is in compliance with requirements of the Minnesota Clean Indoor Air Act.

In an effort to provide and promote a healthy, comfortable and productive working environment, use of tobacco products (e.g. chewing tobacco, smoking, etc.) is prohibited in all city buildings, vehicles, and equipment.

K. Harassment: The harassment of any employee of the city by any other employee or nonemployee is prohibited. The city will not tolerate the harassment of any of its employees and will take immediate, positive steps to stop it when it occurs. The city manager shall establish and administer a detailed policy prohibiting harassment, including specific measures which will be taken when harassment occurs. (Ord. 1339, 6-20-2006)

L. Alcohol and Other Drug Use: ~~City employees are prohibited from manufacturing, distributing, dispensing, using or possessing alcoholic beverages and controlled substances while on city-owned or operated facilities, or in city vehicles or while working in their official capacities.~~ All employees are strictly prohibited from using, possessing, selling, transferring or being under the influence of drugs or alcohol while working or performing job duties or while on the City's premises or while operating the City's vehicles, machinery or equipment. "Drugs" are defined as any controlled substance.

~~Employees who violate~~ Any employee found to be in violation of this policy ~~are~~ is subject to disciplinary ~~action, up to and including suspension or dismissal termination of employment~~ and, in certain circumstances, to legal prosecution. (Ord. 1135, 2-14-1994)

M. Criminal History and Driving Record Background Checks.

1. The City of Roseville Police Department is authorized to conduct a criminal history and driving record background investigation on any applicant who is a finalist for a paid or volunteer position with the City of Roseville. All finalist applicants must provide the City of Roseville with written authorization to investigate the applicant's criminal history and driving record, and provide the results to the City Manager or designee. Any finalist applicant who does not grant the City written authorization to investigate the applicant's criminal history and driving record will not be considered for the position

2. Pursuant to Minn. Stat. § 364.05, if the applicant is denied employment based on the findings of the criminal history and driving record background investigation, the City shall inform the applicant in writing of the following:

a. The grounds and reasons for the denial or disqualification;

b. The opportunity to request reconsideration of the City's decision and to provide the City with competent evidence of rehabilitation and present fitness for the position within five days of the notice of denial;

c. The applicable complaint and grievance procedure as set forth in section Minn. Stat. § 364.06;

d. The earliest date the person may reapply for a position with the City; and

e. That all competent evidence of rehabilitation will be considered upon reapplication.

3. This section shall apply to all positions of the City, including those represented by a bargaining unit, full-time, part-time and seasonal, and volunteer (as determined appropriate by the City). Paragraph two of this section does not apply to those positions listed as exceptions under Minn. Stat. § 364.09.

4. The City of Roseville Police Department is authorized to contract with other entities, individuals

361 or corporations to conduct criminal history and driving record background checks. The City's
362 authority to conduct such background checks is subject to any requirements in state law relating to
363 background checks for specific types of applicants.

364 5. The City of Roseville Police Department is authorized to conduct criminal history background
365 checks on license applicants as required by City Code and/or State law.
366 (Ord. 1295, 9-15-2003)
367

City of Roseville
ORDINANCE NO.

AN ORDINANCE AMENDING
TITLE I, CHAPTER 104 PERSONNEL POLICY
104.01D DEFINITIONS; 104.01J EMPLOYMENT OF RELATIVES;
104.03J BEREAVEMENT LEAVE;
104.05J SMOKING POLICY; AND 104.05L ALCOHOL AND DRUG USE

THE CITY OF ROSEVILLE ORDAINS:

SECTION 1: Title I, Section 104 of the Roseville City Code is amended to read as follows:

104.01: PURPOSE AND SCOPE; PERSONNEL APPOINTMENTS

D. Definitions: As used in this chapter, the following words and terms shall have the meanings ascribed to them in this subsection:

~~PART-TIME FIREFIGHTERS: Positions in this category typically work less than twenty (20) hours per week for the Roseville fire department. Part-time firefighters are not eligible for benefits except where specifically noted.~~

~~PAID-ON-CALL FIREFIGHTERS - Employees whose schedules are flexible and vary based on the employee's availability and management's need. Employees who respond to calls for work on an on-call basis and are paid by the call. Paid-on-call fire staff members are not eligible for benefits except where specified.~~

~~REGULAR PART-TIME: A position that is regularly scheduled twenty (20) or more hours per week but is not normally scheduled forty (40) hours per week. Regular part-time positions are approved by the City Council and generally continue for more than one year. Regular part-time staff is eligible for partial benefits.~~

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~~TEMPORARY/INTERMITTENT SEASONAL:~~ Positions in this category meet one of the following definitions:

~~1. A full-time or part-time position that is anticipated to last less than one year or that has a definite termination date.~~

~~2. A part-time position that is scheduled, on average, less than twenty (20) hours per week.~~

Employees hired in a position limited by duration of a specific project or task. Temporary employees normally do not exceed six months with a period of at least a month off between seasonal or temporary projects with the City. Temporary employees are not eligible for benefits. Temporary positions include positions created to handle periodic increases in work load, seasonal work and special projects. Temporary and seasonal employees may work full or part-time and are not subject to all City policies, only those provided to them in their new employee orientation or during ongoing training.

~~3.-~~ A position that has been established as an internship, or as part of another specialized program is also included in this category. (Ord. 1230, 8-23-1999; amd. Ord. 1231, 11-8-1999)

- J. Employment of Relatives: ~~Job applicants who are relatives to current city employees or officials will be considered for employment unless the applicant is related to an elected official or department head.~~ For purposes of this policy, a "relative" is defined as mother, father, son, daughter, brother, sister, grandchild, grandparent, stepchild, stepparent, or legal guardian.
- However, relatives of employees will not be employed when a conflict of interest exists. In order to ensure the lack of bias, prejudice and/or favoritism, or its appearance, relatives or those living in the same household as current employees and City Council members are not eligible for employment in a job classification in which a conflict of interest may occur or is not in the best interest of the City as determined by the City Manager. City Manager approval is required for all fulltime and part-time regular positions. Spouses of employees or elected officials are also excluded from employment, as a bona fide occupational requirement, when a conflict of interest exists. The following list highlights situations that would constitute a conflict of interest:
- o Where one employee would supervise or have authority to appoint, remove, or discipline a spouse or a relative.
 - o Where one spouse or relative would be responsible for auditing the work of another.
 - o Where a policy level employee of an organization or company is related to a policy level employee or official of the city and there is a contract or agreement between the entities, such that there is a potential appearance of inappropriate influence.
 - o Where confidentiality of the city would be jeopardized.
- Promotions or transfers of a spouse or relative, which would result in a conflict of interest, will not be acted upon until the conflict is satisfactorily resolved.

104.03: BENEFITS:

- J. ~~Funeral Leave~~ Bereavement Leave: In cases of a death in an employee's immediate family, a regular employee's department head may authorize leave benefits for such absences up to a maximum of three days for each occasion. For purposes of this section, "immediate family" includes ~~wife, husband~~ spouse, child, ~~brother, sister~~ siblings, parents, parents-in-law, grandchildren and grandchildren of the employee's spouse, grandparents, grandparents-in-

104.05: MISCELLANEOUS REGULATIONS:

- J. Smoking Policy: Smoking is not permitted in any city building or city vehicle. Smoking includes carrying a lighted cigarette, cigar or pipe. This policy is in compliance with requirements of the Minnesota Clean Indoor Air Act.

In an effort to provide and promote a healthy, comfortable and productive working environment, use of tobacco products (e.g. chewing tobacco, smoking, etc.) is prohibited in all city buildings, vehicles, and equipment.

- L. Alcohol and Other Drug Use: ~~City employees are prohibited from manufacturing, distributing, dispensing, using or possessing alcoholic beverages and controlled substances while on city owned or operated facilities, or in city vehicles or while working in their official capacities.~~ All eEmployees are strictly prohibited from using, possessing, selling, transferring or being under the influence of drugs or alcohol while working or performing job duties or while on the City's premises or while operating the City's vehicles, machinery or equipment. "Drugs" are defined as any controlled substance.

~~Employees who violate~~ Any employee found to be in violation of this policy ~~are~~ is subject to disciplinary ~~action, up to and including suspension or dismissal termination of employment~~ and, in certain circumstances, to legal prosecution. (Ord. 1135, 2-14-1994)

SECTION 2: Effective date. This ordinance shall take effect upon its passage and publication.

Passed by the City Council of the City of Roseville this ____ day of _____ 2010.

106

107

108 *Ordinance – Ordinance Amending Chapter 104 Personnel Policy*

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111 (SEAL)

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114 CITY OF ROSEVILLE

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117 BY: _____

118 Craig D. Klausing, Mayor

119 ATTEST:

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122 William J. Malinen, City Manager

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City of Roseville

ORDINANCE SUMMARY NO. ____

**AN ORDINANCE AMENDING
TITLE I, CHAPTER 104 PERSONNEL POLICY
104.01D DEFINITIONS; 104.01J EMPLOYMENT OF RELATIVES;
104.03J BEREAVEMENT LEAVE;
104.05J SMOKING POLICY; AND 104.05L ALCOHOL AND DRUG USE**

The following is the official summary of Ordinance No. _____ approved by the City Council of Roseville on _____, 20__:

An ordinance amending Chapter 104, Personnel Policy, incorporating legally required and other updates relating to definitions, employment of relatives, bereavement leave, the smoking policy and alcohol and drug use.

A printed copy of the ordinance is available for inspection by any person during regular office hours in the office of the City Manager at the Roseville City Hall, 2660 Civic Center Drive, Roseville, Minnesota 55113. A copy of the ordinance and summary shall also be posted at the Reference Desk of the Roseville Branch of the Ramsey County Library, 2180 Hamline Avenue North, and on the internet web page of the City of Roseville (www.ci.roseville.mn.us).

Attest: _____
William J. Malinen, City Manager